

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAZMIN SALAZAR,

Defendant.

2:15-cr-228-LDG-GWF

AMENDED

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to and including December 14, 2015 to file any and all pretrial motions and notice of defense.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including December 28, 2015 to file any responses.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including January 4, 2016 to file any and all replies.

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the 19th day of January, 2016, by the hour of 4:00 p.m.

IT IS FURTHER ORDERED that the calendar call currently scheduled for September 22, 2015, at the hour of 2:00 p.m., be vacated and continued to 1/19/2016 at the hour of 2 :00 p.m.; and the trial currently scheduled for September 28, 2015, at the hour of 9:00 a.m., be vacated and continued to 1/25/2016 at the hour of 9 : 00 a.m.

DATED 21 day of September, 2015.


UNITED STATES DISTRICT JUDGE
LLOYD D. GEORGE